

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 7, 1999

The House of Representatives convened at 12:00 noon and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

The roll was called and the following members were present:

Abeler	Dorman	Howes	Luther	Paulsen	Swenson
Abrams	Dorn	Huntley	Mahoney	Pawlenty	Sykora
Anderson, B.	Entenza	Jaros	Mares	Paymar	Tingelstad
Anderson, I.	Erhardt	Jennings	Mariani	Pelowski	Tomassoni
Bakk	Erickson	Johnson	Marko	Peterson	Trimble
Biernat	Finseth	Juhnke	McCollum	Pugh	Tuma
Bishop	Folliard	Kahn	McElroy	Rest	Tunheim
Boudreau	Fuller	Kalis	McGuire	Reuter	Van Dellen
Bradley	Gerlach	Kelliher	Milbert	Rhodes	Vandever
Broecker	Gleason	Kielkucki	Molnau	Rifenberg	Wagenius
Buesgens	Gray	Knoblach	Mulder	Rukavina	Wejcman
Carlson	Greenfield	Koskinen	Mullery	Schumacher	Wenzel
Carruthers	Greiling	Krinkie	Munger	Seagren	Westerberg
Cassell	Gunther	Kubly	Murphy	Seifert, J.	Westfall
Chaudhary	Haake	Kuisle	Ness	Seifert, M.	Westrom
Clark, J.	Haas	Larsen, P.	Nornes	Skoe	Wilkin
Clark, K.	Hackbarth	Larson, D.	Olson	Skoglund	Winter
Daggett	Harder	Leighton	Opatz	Smith	Wolf
Davids	Hasskamp	Lenczewski	Orfield	Solberg	Workman
Dawkins	Hilty	Leppik	Osskopp	Stanek	Spk. Sviggum
Dehler	Holberg	Lieder	Otremba	Stang	
Dempsey	Holsten	Lindner	Ozment	Storm	

A quorum was present.

Goodno, Hausman and Rostberg were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Seagren moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Abrams, Sviggum, Rifenberg and Storm introduced:

H. F. No. 1, A bill for an act relating to taxation; providing an income tax rebate; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

Dorman, Abrams, Abeler, Gerlach and Pawlenty introduced:

H. F. No. 2, A bill for an act relating to taxation; reducing rates and adjusting the brackets of the individual income tax; increasing the exemption amount for the alternative minimum tax; repealing the insurance premiums tax on health maintenance organizations and nonprofit health service plan corporations; phasing out health care taxes; making conforming changes; changing property tax class rates; increasing the education homestead credit; reducing the general education levy; amending Minnesota Statutes 1998, sections 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 62R.24; 214.16, subdivisions 2 and 3; 256L.02, subdivision 3; 270B.01, subdivision 8; 270B.14, subdivision 1; 273.13, subdivisions 22, 23, 24, 25, and 31; 273.1382, subdivision 1; 290.06, subdivisions 2c and 2d; 290.091, subdivisions 1, 2, 3, and 6; and 295.52, subdivision 7; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 16A.724; 16A.76; 144.1484, subdivision 2; 256L.02, subdivision 4; 273.127; 273.1382, subdivision 1a; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.581; 295.582; and 295.59.

The bill was read for the first time and referred to the Committee on Taxes.

Seifert, J.; Cassell; Dorman; Anderson, B., and Mariani introduced:

H. F. No. 3, A bill for an act relating to education; reducing early elementary class size; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126C.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Paulsen, Rhodes, Westfall, Rifenberg and Luther introduced:

H. F. No. 4, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV to provide for initiative and referendum; providing procedures for initiative and referendum; providing penalties; amending Minnesota Statutes 1998, sections 10A.20, by adding a subdivision; 204C.19, subdivision 2; 204C.27; 204C.33; 204D.11, by adding a subdivision; 204D.15; 204D.16; and 204D.165; proposing coding for new law in Minnesota Statutes, chapter 3B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Wilkin, McElroy, Dorman and Abrams introduced:

H. F. No. 5, A bill for an act relating to the legislature; requiring a three-fifths vote to pass certain fiscal legislation; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Taxes.

Hackbarth, Howes, Fuller, Finseth and Bakk introduced:

H. F. No. 6, A bill for an act relating to recreational vehicles; modifying rulemaking authority; modifying certain restrictions on the use of snowmobile metal traction devices; modifying certain definitions; amending Minnesota Statutes 1998, sections 84.86, subdivision 1; 85.015, subdivision 1c; and 169.1217, subdivision 1; Laws 1998, chapter 401, section 61; repealing Minnesota Statutes 1998, sections 84.871, subdivision 2; and 84.8715; Laws 1998, chapter 401, section 23.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Haake, Molnau, Westerberg, Wilkin and Johnson introduced:

H. F. No. 7, A bill for an act relating to motor vehicles; repealing the motor vehicle emissions inspection program on July 1, 2000; amending Minnesota Statutes 1998, section 116.62, subdivision 3; repealing Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 166.63; and 116.64.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Westfall, Finseth, Swenson, Westrom and Ness introduced:

H. F. No. 8, A bill for an act relating to property taxes; providing a credit on the first-half payable 1999 property taxes for agricultural property; providing for state reimbursement; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

Sviggum, Howes, Otremba, Kielkucki and Harder introduced:

H. F. No. 9, A bill for an act relating to the legislature; prohibiting former legislators from lobbying the legislature for one year after leaving office; proposing coding for new law in Minnesota Statutes, chapter 10A.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Pawlenty, McElroy and Clark, K., introduced:

H. F. No. 10, A bill for an act relating to housing; establishing a school stability initiative for homeless children; appropriating money; amending Minnesota Statutes 1998, section 462A.204, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Abeler, Buesgens, Biernat, Storm and Dempsey introduced:

H. F. No. 11, A bill for an act relating to education; providing an inflationary increase in the general education basic formula allowance; appropriating money; amending Minnesota Statutes 1998, section 126C.10, subdivision 2.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Seifert, J.; Pawlenty; Storm; Fuller and Stanek introduced:

H. F. No. 12, A bill for an act relating to crime; providing a life imprisonment sentence for persons convicted of three or more violent felonies; amending Minnesota Statutes 1998, sections 244.05, subdivisions 4 and 5; and 609.1095, subdivisions 2, 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Stanek, Broecker, Storm, Fuller and Westerberg introduced:

H. F. No. 13, A bill for an act relating to crime; appropriating money to operate the criminal gang oversight council and strike force and provide grants to combat criminal gangs.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Fuller, Wilkin, Cassell and Stanek introduced:

H. F. No. 14, A bill for an act relating to education; providing that a person convicted of criminal sexual conduct is ineligible to be licensed as a teacher; amending Minnesota Statutes 1998, sections 122A.20, subdivision 1; 122A.40, subdivisions 5 and 13; 122A.41, subdivision 6; and 631.40, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Policy.

Kielkucki, Pelowski, Abeler, Howes and Gunther introduced:

H. F. No. 15, A bill for an act relating to education; implementing the recommendations of the standards advisory panel; amending profile of learning requirements; eliminating state performance packages; requiring school districts to implement core learning areas; allowing districts to implement other learning areas; limiting the number of required content standards; comparing 11th grade students' educational performance with students from other states and nations; establishing an advisory group to make recommendations on students who may be unable to meet high school graduation requirements; amending Minnesota Statutes 1998, sections 120B.02; 120B.03, subdivisions 1 and 2; and 120B.30, subdivision 1.

The bill was read for the first time and referred to the Committee on Education Policy.

Pawlenty, Cassell, Mares and Greiling introduced:

H. F. No. 16, A bill for an act relating to education; entitling public school students to an education without serious classroom disruption; providing a remedy; amending Minnesota Statutes 1998, sections 121A.42; 121A.45, subdivision 2; and 125A.08; proposing coding for new law in Minnesota Statutes, chapter 121A.

The bill was read for the first time and referred to the Committee on Education Policy.

Hasskamp introduced:

H. F. No. 17, A bill for an act relating to the city of Nisswa; extending the duration limit of a tax increment financing district.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, I., and Johnson introduced:

H. F. No. 18, A bill for an act relating to education; removing the bond sale limitation on capital loans that have been outstanding for 20 years; amending Minnesota Statutes 1998, section 126C.69, subdivision 15.

The bill was read for the first time and referred to the Committee on Education Policy.

Jaros introduced:

H. F. No. 19, A bill for an act relating to economic development; providing that a company must show financial need to qualify for financial subsidies.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Jaros introduced:

H. F. No. 20, A bill for an act relating to international trade finance; appropriating money for trade promotion.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Jaros introduced:

H. F. No. 21, A bill for an act relating to statutes; expanding the definition of family.

The bill was read for the first time and referred to the Committee on Civil Law.

Jaros introduced:

H. F. No. 22, A bill for an act relating to economic development and international trade; establishing a Minnesota office of international affairs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 4.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Jaros introduced:

H. F. No. 23, A bill for an act relating to consumer protection; requiring child protective devices in shopping carts; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time and referred to the Committee on Commerce.

Jaros introduced:

H. F. No. 24, A bill for an act relating to elections; providing for simulated elections for minors; proposing coding for new law in Minnesota Statutes, chapter 204B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Pawlenty, Rest, Abrams, Cassell and Westfall introduced:

H. F. No. 25, A bill for an act relating to taxation; income; allowing a subtraction for charitable contributions to individuals who do not itemize deductions for federal income tax purposes; amending Minnesota Statutes 1998, section 290.01, subdivision 19b.

The bill was read for the first time and referred to the Committee on Taxes.

Solberg introduced:

H. F. No. 26, A bill for an act relating to appropriations; changing a grantee for the Mississippi education center grant; imposing a condition; amending Laws 1998, chapter 404, section 5, subdivision 9.

The bill was read for the first time and referred to the Committee on Education Policy.

Seifert, M.; Pelowski; Hasskamp; Gunther and Rifenberg introduced:

H. F. No. 27, A bill for an act relating to education; repealing the profile of learning part of the high school graduation rule; amending Minnesota Statutes 1998, sections 120B.02; 120B.04; 120B.30, subdivision 1; 120B.31, subdivision 4; and 136A.233, subdivision 4; repealing Minnesota Statutes 1998, sections 120B.03; and 120B.05.

The bill was read for the first time and referred to the Committee on Education Policy.

Anderson, I., introduced:

H. F. No. 28, A bill for an act relating to game and fish; providing for lifetime crossbow permits for persons with permanent physical disabilities; amending Minnesota Statutes 1998, section 97B.106.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Tunheim, Kubly, Juhnke, Schumacher and Huntley introduced:

H. F. No. 29, A bill for an act relating to natural resources; repealing the prohibition on the operation of a snowmobile with a track equipped with metal traction devices on public lands, roads, and trails; continuing the prohibition on the use of snowmobiles with metal traction devices on paved public trails; amending Laws 1998, chapter 401, section 61; repealing Minnesota Statutes 1998, section 84.871, subdivision 2; and Laws 1998, chapter 401, section 23.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Murphy introduced:

H. F. No. 30, A bill for an act relating to taxation; refundable tax credit; making the property tax rebate permanent; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Folliard and Greiling introduced:

H. F. No. 31, A bill for an act relating to education; making nonpublic schools subject to the pupil fair dismissal law and other requirements if families of students receiving educational services from the nonpublic school claim a tax credit for education-related expenses; amending Minnesota Statutes 1998, section 290.0674, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 123B.

The bill was read for the first time and referred to the Committee on Education Policy.

Anderson, I., introduced:

H. F. No. 32, A bill for an act relating to alcoholic beverages; authorizing the city of International Falls to issue a temporary on-sale liquor license.

The bill was read for the first time and referred to the Committee on Commerce.

Anderson, I., introduced:

H. F. No. 33, A bill for an act relating to recreational vehicles; modifying the operation provisions of all-terrain vehicles; amending Minnesota Statutes 1998, section 84.928, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Greiling; Sviggum; Hausman; Anderson, I., and Folliard introduced:

H. F. No. 34, A bill for an act proposing an amendment to the Minnesota Constitution; providing for a 135 member unicameral legislature; changing article IV; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Haas, Bradley, Goodno and Abeler introduced:

H. F. No. 35, A bill for an act relating to health; transferring tobacco settlement money from the general fund to the health care access fund; repealing MinnesotaCare premium and provider taxes; amending Minnesota Statutes 1998, sections 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 62R.24; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; and 270B.14, subdivision 1; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 62T.10; 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Erickson introduced:

H. F. No. 36, A bill for an act relating to local government; permitting a time extension for commencement of activities in a tax increment financing district in the city of Onamia.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Erickson introduced:

H. F. No. 37, A bill for an act relating to tax increment financing; allowing the city of Milaca to spend increment outside of a district.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Luther, Bradley, Greenfield, Johnson and Tomassoni introduced:

H. F. No. 38, A bill for an act relating to drivers' licenses; directing department of public safety to automatically include person's designation as donor of anatomical gifts on subsequent driver's licenses or identification cards; amending Minnesota Statutes 1998, section 171.07, subdivision 5.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Lieder and Juhnke introduced:

H. F. No. 39, A bill for an act proposing an amendment to the Minnesota Constitution, article XIV, by adding a section; dedicating portion of sales tax on motor vehicles to roads and public transit; reducing rate of registration tax on passenger automobiles; allocating revenues from motor vehicle sales tax; amending Minnesota Statutes 1998, sections 168.013, subdivision 1a; and 297B.09, subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Bradley; Rostberg; Anderson, I.; Otremba and Nornes introduced:

H. F. No. 40, A bill for an act relating to health; allowing nursing facility residents to request the use of a restraint; amending Minnesota Statutes 1998, section 144A.10, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Pelowski introduced:

H. F. No. 41, A bill for an act relating to education; establishing a Minnesota science and mathematics foundation; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

The bill was read for the first time and referred to the Committee on Education Policy.

Folliard; Larsen, P., and Pugh introduced:

H. F. No. 42, A bill for an act relating to civil actions; modifying the statute of limitations for medical malpractice actions; amending Minnesota Statutes 1998, section 541.07; proposing coding for new law in Minnesota Statutes, chapter 541.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Juhnke introduced:

H. F. No. 43, A bill for an act relating to appropriations; authorizing state bonds; appropriating money for wastewater infrastructure funding for the Green Lake Sanitary Sewer and Water Project.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Osskopp introduced:

H. F. No. 44, A bill for an act relating to appropriations; appropriating money for water and sewer extension to Reads Landing.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Folliard and Abrams introduced:

H. F. No. 45, A bill for an act relating to local government; authorizing city councils to establish by ordinance procedures for imposing civil penalties for ordinance violations; amending Minnesota Statutes 1998, section 412.231; proposing coding for new law in Minnesota Statutes, chapter 410.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bakk; Solberg; Anderson, I.; Marko and Tomassoni introduced:

H. F. No. 46, A bill for an act relating to recreational vehicles; modifying certain restrictions on the use of snowmobile metal traction devices; modifying certain definitions; amending Minnesota Statutes 1998, sections 85.015, subdivision 1c; and 169.1217, subdivision 1; Laws 1998, chapter 401, section 61; repealing Minnesota Statutes 1998, sections 84.871, subdivision 2; and 84.8715; Laws 1998, chapter 401, section 23.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Bishop, Smith and Seifert, J., introduced:

H. F. No. 47, A bill for an act relating to civil actions; providing a cause of action for victims of domestic abuse; proposing coding for new law in Minnesota Statutes, chapter 611A.

The bill was read for the first time and referred to the Committee on Civil Law.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 1, A senate concurrent resolution relating to the adoption of temporary joint rules.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended that Senate Concurrent Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 1

A senate concurrent resolution relating to the adoption of temporary joint rules.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring:

The Temporary Joint Rules of the Senate and the House of Representatives for the 80th session are adopted as the Temporary Joint Rules of the 81st session, to be effective until the adoption of Permanent Joint Rules by the Senate and the House of Representatives.

Pawlenty moved that Senate Concurrent Resolution No. 1 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 1 was adopted.

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 2, A senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended that Senate Concurrent Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 2

A senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring:

The custodian of the Capitol shall reserve all parking space necessary on the Capitol grounds, Capitol Approach and Aurora Avenue for the use of the members and staff of the Legislature for the 81st session of the Legislature, allowing reasonable space for parking to the general public having business at the Capitol. The Committee on Rules and Administration of the Senate and the Committee on Rules and Legislative Administration of the House of Representatives may designate necessary personnel to assist the custodian of the Capitol in this matter.

The Secretary of the Senate and the Chief Clerk of the House of Representatives may deduct from the check of any legislator or legislative employee in each year of the 81st session of the Legislature a sum adequate to cover the exercise of the parking privilege defined in this resolution in conformity with the practice of the Department of Administration.

Pawlenty moved that Senate Concurrent Resolution No. 2 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 2 was adopted.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, January 11, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, January 11, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

